

UNITED STATES DISTRICT COURT:
EASTERN DISTRICT OF NEW YORK

-----X	:	
	:	
Government Employees Insurance Company,	:	
et.al.	:	
	:	
Plaintiffs,	:	
	:	
	:	ANSWER
-against-	:	
	:	Jury Trial Demanded
	:	
NATALIE ARNOFF, M.D., et. al.,	:	CIVIL ACTION
	:	16 CV 4459
	:	
Defendants.	:	
	:	
-----X	:	

Defendant LEONID BRENMAN [hereinafter "BRENMAN"],
by his attorney, Daniel F. Lynch, for his answer to the
Complaint, respectfully alleges, upon information and belief, as
follows:

1. Deny the allegations set forth in Paragraph "1"
of the Complaint, except that Plaintiffs purport to seek a
recovery for claims made in their complaint.

2. Deny the allegations set forth in Paragraph "2"
of the Complaint.

3. Deny the allegations set forth in Paragraph "3"

of the Complaint.

4. Deny the allegations set forth in Paragraph "4" of the Complaint, except to admit that DR. ARNOFF is a licensed physician.

5. Deny the allegations set forth in Paragraph "5" of the Complaint.

6. Deny the allegations set forth in Paragraph "6" of the complaint.

7. Deny the allegations set forth in Paragraph "7" of the Complaint, inasmuch as Plaintiffs have annexed a chart that purports to show claims that defendant denies are fraudulent.

8. Deny the allegations set forth in Paragraph "8" of the Complaint.

PARTIES

9. Deny knowledge and information sufficient to form a belief as to the truth of the allegations set forth in

Paragraph "9" of the Complaint.

10. Admit the allegations set forth in Paragraph "10" of the Complaint, except as to deny the use of the qualifying words "nominal" and "paper" as to all allegations so qualified.

11. Deny the allegations set forth in Paragraph "11" of the Complaint, except as to the location and date of incorporation of AUSTIN, which was incorporated as alleged in the Complaint, but deny the qualification of DR. ARNOFF as a "paper" owner or that there was anything whatsoever "fraudulent" regarding the incorporation or that anyone other than DR. ARNOFF controlled AUSTIN.

12. Deny the allegations set forth in Paragraph "12" of the Complaint.

13. Deny the allegations set forth in Paragraph "13" of the Complaint.

JURISDICTION AND VENUE

14. Admit the allegations set forth in Paragraph "14" of the Complaint.

15. Admit the allegations set forth in Paragraph "15" of the Complaint.

ALLEGATIONS COMMON TO ALL CLAIMS

16. Admit the allegations set forth in Paragraph "16" of the Complaint.

17. Paragraph "17" of the Complaint sets forth certain legal conclusions as to "No-Fault Law" rather than an averment of fact, and accordingly no response is required.

18. Paragraph "18" of the Complaint sets forth certain legal conclusions as to "No-Fault Law" rather than an averment of fact, and accordingly no response is required.

19. Paragraph "19" of the Complaint sets forth certain legal conclusions as to "No-Fault Law" rather than an averment of fact, and accordingly no response is required.

20. Paragraph "20" of the Complaint sets forth certain legal conclusions as to "No-Fault Law" rather than an

averment of fact, and accordingly no response is required.

21. Paragraph "21" of the Complaint sets forth certain legal conclusions as to "No-Fault Law" rather than an averment of fact, and accordingly no response is required.

22. Paragraph "22" of the Complaint sets forth certain legal conclusions rather than an averment of fact, and accordingly no response is required.

23. Paragraph "23" of the Complaint sets forth certain legal conclusions rather than an averment of fact, and accordingly no response is required.

24. Paragraph "24" of the Complaint sets forth certain legal conclusions rather than an averment of fact, and accordingly no response is required.

25. Paragraph "25" of the Complaint sets forth Certain legal requirements as to "Education Law" rather than an averment of fact, and accordingly no response is required.

26. Paragraph "26" of the Complaint sets forth Certain legal requirements rather than an averment of fact, and

accordingly no response is required.

27. Paragraph "27" of the Complaint sets forth Certain legal requirements as to "Insurance Law" rather than an averment of fact, and accordingly no response is required.

28. Paragraph "28" of the Complaint sets forth Certain legal requirements as to "No-Fault Law" rather than an averment of fact, and accordingly no response is required.

29. Paragraph "29" of the Complaint sets forth Certain legal requirements as to "Insurance Law" rather than an averment of fact, and accordingly no response is required.

30. Paragraph "30" of the Complaint sets forth Certain legal requirements as to "Insurance Law" rather than an averment of fact, and accordingly no response is required.

Allegations of Fraudulent Scheme

31. Deny the allegations set forth in Paragraph "31" of the Complaint.

32. Deny the allegations set forth in Paragraph "32"

of the Complaint.

Incorporation of Austin Medical

33. Deny the allegations set forth in Paragraph "33" of the Complaint.

34. Deny the allegations set forth in Paragraph "34" of the Complaint.

35. Deny the allegations set forth in Paragraph "35" of the Complaint.

36. Deny the allegations set forth in Paragraph "36" of the Complaint.

37. Deny the allegations set forth in Paragraph "37" of the Complaint.

38. Deny the allegations set forth in Paragraph "38" of the Complaint.

39. Deny the allegations set forth in Paragraph "39" of the Complaint.

40. Deny the allegations set forth in Paragraph "40" of the Complaint.

41. Deny the allegations set forth in Paragraph "41" of the Complaint.

42. Deny the allegations set forth in Paragraph "42" of the Complaint.

43. Deny the allegations set forth in Paragraph "43" of the Complaint.

44. Deny the allegations set forth in Paragraph "44" of the Complaint.

45. Deny the allegations set forth in Paragraph "45" of the Complaint.

46. Deny the allegations set forth in Paragraph "46" of the Complaint.

47. Deny the allegations set forth in Paragraph "47" of the Complaint.

48. Deny the allegations set forth in Paragraph "48" of the Complaint.

49. Deny the allegations set forth in Paragraph "49" of the Complaint.

50. Deny the allegations set forth in Paragraph "50" of the Complaint.

51. Deny the allegations set forth in Paragraph "51" of the Complaint.

52. Deny the allegations set forth in Paragraph "52" of the Complaint.

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54. Deny the allegations set forth in Paragraph "54" of the Complaint.

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56. Deny the allegations set forth in Paragraph "56" of the Complaint.

57. Deny the allegations set forth in Paragraph "57" of the Complaint.

58. Deny the allegations set forth in Paragraph "58" of the Complaint.

59. Deny the allegations set forth in Paragraph "59" of the Complaint.

60. Deny the allegations set forth in Paragraph "60" of the Complaint.

61. Deny the allegations set forth in Paragraph "61" of the Complaint.

62. Deny the allegations set forth in Paragraph "62" of the Complaint.

63. Deny the allegations set forth in Paragraph "63" of the Complaint.

64. Deny the allegations set forth in Paragraph "64" of the Complaint.

65. Deny the allegations set forth in Paragraph "65" of the Complaint.

66. Deny the allegations set forth in Paragraph "66" of the Complaint.

67. Deny the allegations set forth in Paragraph "67" of the Complaint.

68. Deny the allegations set forth in Paragraph "68" of the Complaint.

69. Paragraph "69" of the Complaint sets forth Certain legal requirements as to "Business Corporation Law" rather than an averment of fact, and accordingly no response is required.

70. Paragraph "70" of the Complaint sets forth Certain legal requirements rather than an averment of fact, and accordingly no response is required.

71. Paragraph "71" of the Complaint sets forth Certain legal requirements rather than an averment of fact, and accordingly no response is required.

72. Paragraph "72" of the Complaint sets forth Certain legal requirements rather than an averment of fact, and accordingly no response is required.

73. Deny the allegations set forth in Paragraph "73" of the Complaint.

74. Deny the allegations set forth in Paragraph "74" of the Complaint.

75. Deny the allegations set forth in Paragraph "75" of the Complaint.

76. Deny the allegations set forth in Paragraph "76" of the Complaint.

77. Deny the allegations set forth in Paragraph "77" of the Complaint.

78. Deny the allegations set forth in Paragraph "78" of the Complaint.

79. Deny the allegations set forth in Paragraph "79" of the Complaint.

80. Deny the allegations set forth in Paragraph "80" of the Complaint.

81. Deny the allegations set forth in Paragraph "81" of the Complaint.

82. Deny the allegations set forth in Paragraph "82" of the Complaint.

83. Deny the allegations set forth in Paragraph "83" of the Complaint.

84. Deny the allegations set forth in Paragraph "84" of the Complaint.

85. Deny the allegations set forth in Paragraph "85" of the Complaint.

86. Deny the allegations set forth in Paragraph "86" of the Complaint.

87. Deny the allegations set forth in Paragraph "87" of the Complaint.

88. Deny the allegations set forth in Paragraph "88" of the Complaint.

89. Deny the allegations set forth in Paragraph "89" of the Complaint.

90. Paragraph "90" of the Complaint sets forth Certain requirements of CPT codes rather than an averment of fact, and accordingly no response is required.

91. Paragraph "91" of the Complaint sets forth Certain requirements of CPT codes rather than an averment of fact, and accordingly no response is required.

92. Deny the allegations set forth in Paragraph "92" of the Complaint.

93. Deny the allegations set forth in Paragraph "93" of the Complaint.

94. Deny the allegations set forth in Paragraph "94" of the Complaint.

95. Deny the allegations set forth in Paragraph "95" of the Complaint.

96. Deny the allegations set forth in Paragraph "96" of the Complaint.

97. Deny the allegations set forth in Paragraph "97" of the Complaint.

98. Deny the allegations set forth in Paragraph "98" of the Complaint.

99. Paragraph "99" of the Complaint sets forth Certain requirements of the Fee Schedule rather than an averment of fact, and accordingly no response is required.

100. Deny the allegations set forth in Paragraph "100" of the Complaint.

101. Deny the allegations set forth in Paragraph "101" of the Complaint.

102. Paragraph "102" of the Complaint sets forth Certain requirements of the Fee Schedule rather than an averment of fact, and accordingly no response is required.

103. Deny the allegations set forth in Paragraph "103" of the Complaint.

104. Deny the allegations set forth in Paragraph "104" of the Complaint.

105. Deny the allegations set forth in Paragraph "105" of the Complaint.

106. Deny the allegations set forth in Paragraph "106" of the Complaint.

107. Deny the allegations set forth in Paragraph "107" of the Complaint.

108. Deny the allegations set forth in Paragraph "108"

of the Complaint.

109. Deny the allegations set forth in Paragraph "109" of the Complaint.

110. Deny the allegations set forth in Paragraph "110" of the Complaint.

111. Deny the allegations set forth in Paragraph "111" of the Complaint.

112. Deny the allegations set forth in Paragraph "112" of the Complaint.

113. Deny the allegations set forth in Paragraph "113" of the Complaint.

114. Deny the allegations set forth in Paragraph "114" of the Complaint.

115. Paragraph "115" of the Complaint sets forth Certain requirements of CPT codes rather than an averment of fact, and accordingly no response is required.

116. Deny the allegations set forth in Paragraph "116" of the Complaint.

117. Paragraph "117" of the Complaint sets forth Certain requirements of CPT codes rather than an averment of fact, and accordingly no response is required.

118. Deny the allegations set forth in Paragraph "118" of the Complaint.

119. Deny the allegations set forth in Paragraph "119" of the Complaint.

120. Deny the allegations set forth in Paragraph "120" of the Complaint.

121. Paragraph "121" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

122. Paragraph "122" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

123. Paragraph "123" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

124. Paragraph "124" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

125. Paragraph "125" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

126. Paragraph "126" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

127. Deny the allegations set forth in Paragraph "127" of the Complaint.

128. Deny the allegations set forth in Paragraph "128" of the Complaint.

129. Deny the allegations set forth in Paragraph "129" of the Complaint.

130. Deny the allegations set forth in Paragraph "130" of the Complaint.

131. Deny the allegations set forth in Paragraph "131" of the Complaint.

132. Deny the allegations set forth in Paragraph "132" of the Complaint.

133. Deny the allegations set forth in Paragraph "133" of the Complaint.

134. Deny the allegations set forth in Paragraph "134" of the Complaint.

135. Paragraph "135" of the Complaint sets forth Certain requirements of the Fee Schedule rather than an averment of fact, and accordingly no response is required.

136. Paragraph "136" of the Complaint sets forth Certain requirements of CPT codes rather than an averment of fact, and accordingly no response is required.

137. Paragraph "137" of the Complaint sets forth Certain requirements of CPT codes rather than an averment of fact, and accordingly no response is required.

138. Deny the allegations set forth in Paragraph "138" of the Complaint.

139. Deny the allegations set forth in Paragraph "139" of the Complaint.

140. Deny the allegations set forth in Paragraph "140" of the Complaint.

141. Deny the allegations set forth in Paragraph "141" of the Complaint.

142. Deny the allegations set forth in Paragraph "142" of the Complaint.

143. Deny the allegations set forth in Paragraph "143" of the Complaint.

144. Deny the allegations set forth in Paragraph "144" of the Complaint.

145. Paragraph "145" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

146. Paragraph "146" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

147. Paragraph "147" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

148. Paragraph "148" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

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154. Paragraph "154" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

155. Paragraph "155" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

156. Deny the allegations set forth in Paragraph "156" of the Complaint.

157. Deny the allegations set forth in Paragraph "157" of the Complaint.

158. Paragraph "158" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

159. Deny the allegations set forth in Paragraph "159" of the Complaint.

160. Paragraph "160" of the Complaint sets forth Certain conclusions as to the Fee Schedule rather than an averment of fact, and accordingly no response is required.

161. Paragraph "161" of the Complaint sets forth Certain conclusions as to CPT Codes rather than an averment of fact, and accordingly no response is required.

162. Paragraph "162" of the Complaint sets forth Certain conclusions as to CPT Codes rather than an averment of fact, and accordingly no response is required.

163. Deny the allegations set forth in Paragraph "163" of the Complaint.

164. Deny the allegations set forth in Paragraph "164" of the Complaint.

165. Deny the allegations set forth in Paragraph "165" of the Complaint.

166. Paragraph "166" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

167. Paragraph "167" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

168. Paragraph "168" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

169. Paragraph "169" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

170. Paragraph "170" of the Complaint sets forth

Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

171. Paragraph "171" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

172. Deny the allegations set forth in Paragraph "172" of the Complaint.

173. Deny the allegations set forth in Paragraph "173" of the Complaint.

174. Deny the allegations set forth in Paragraph "174" of the Complaint.

175. Deny the allegations set forth in Paragraph "175" of the Complaint.

176. Deny the allegations set forth in Paragraph "176" of the Complaint.

177. Paragraph "177" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact,

and accordingly no response is required.

178. Paragraph "178" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

179. Deny the allegations set forth in Paragraph "179" of the Complaint.

180. Deny the allegations set forth in Paragraph "180" of the Complaint.

181. Paragraph "181" of the Complaint sets forth Certain conclusions as to the Fee Schedule rather than an averment of fact, and accordingly no response is required.

182. Deny the allegations set forth in Paragraph "182" of the Complaint.

183. Paragraph "183" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

184. Paragraph "184" of the Complaint sets forth

Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

185. Paragraph "185" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

186. Deny the allegations set forth in Paragraph "186" of the Complaint.

187. Deny the allegations set forth in Paragraph "187" of the Complaint.

188. Deny the allegations set forth in Paragraph "188" of the Complaint.

189. Paragraph "189" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

190. Paragraph "190" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

191. Paragraph "191" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

192. Deny the allegations set forth in Paragraph "192" of the Complaint.

193. Deny the allegations set forth in Paragraph "193" of the Complaint.

194. Deny the allegations set forth in Paragraph "194" of the Complaint.

195. Deny the allegations set forth in Paragraph "195" of the Complaint.

196. Deny the allegations set forth in Paragraph "196" of the Complaint.

197. Deny the allegations set forth in Paragraph "197" of the Complaint.

198. Paragraph "198" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact,

and accordingly no response is required.

199. Paragraph "199" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

200. Paragraph "200" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

201. Paragraph "201" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

202. Paragraph "202" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

203. Paragraph "203" of the Complaint sets forth Certain scientific conclusions rather than an averment of fact, and accordingly no response is required.

204. Deny the allegations set forth in Paragraph "204" of the Complaint.

205. Deny the allegations set forth in Paragraph "205" of the Complaint.

206. Deny the allegations set forth in Paragraph "206" of the Complaint.

207. Deny the allegations set forth in Paragraph "207" of the Complaint.

208. Deny the allegations set forth in Paragraph "208" of the Complaint.

209. Deny the allegations set forth in Paragraph "209" of the Complaint.

210. Paragraph "210" of the Complaint sets forth Certain conclusions as to CPT Codes rather than an averment of fact, and accordingly no response is required.

211. Deny the allegations set forth in Paragraph "211" of the Complaint.

212. Deny the allegations set forth in Paragraph "212"

of the Complaint.

213. Deny the allegations set forth in Paragraph "213" of the Complaint.

214. Deny the allegations set forth in Paragraph "214" of the Complaint.

215. Deny the allegations set forth in Paragraph "215" of the Complaint.

216. Deny the allegations set forth in Paragraph "216" of the Complaint.

217. Deny the allegations set forth in Paragraph "217" of the Complaint.

218. Deny the allegations set forth in Paragraph "218" of the Complaint.

219. Paragraph "219" of the Complaint sets forth certain legal conclusions as to "No-Fault Law" rather than an averment of fact, and accordingly no response is required.

220. Deny the allegations set forth in Paragraph "220" of the Complaint.

221. Deny the allegations set forth in Paragraph "221" of the Complaint.

222. Deny the allegations set forth in Paragraph "222" of the Complaint.

223. Deny the allegations set forth in Paragraph "223" of the Complaint.

224. Deny the allegations set forth in Paragraph "224" of the Complaint.

225. Deny the allegations set forth in Paragraph "225" of the Complaint.

226. Deny the allegations set forth in Paragraph "226" of the Complaint.

227. Deny the allegations set forth in Paragraph "227" of the Complaint.

228. Deny the allegations set forth in Paragraph "222" of the Complaint, as to defendants' use of independent contractors, otherwise the paragraph contains legal conclusions that do not require a response.

229. Deny the allegations set forth in Paragraph "229" of the Complaint.

230. Deny the allegations set forth in Paragraph "230" of the Complaint.

231. Deny the allegations set forth in Paragraph "231" of the Complaint.

232. Admit the allegations set forth in Paragraph "232" of the Complaint.

233. Deny the allegations set forth in Paragraph "233" of the Complaint.

234. Deny the allegations set forth in Paragraph "234" of the Complaint.

235. Deny the allegations set forth in Paragraph "235"

of the Complaint.

236. Deny the allegations set forth in Paragraph "236" of the Complaint.

237. Deny the allegations set forth in Paragraph "237" of the Complaint.

238. Deny the allegations set forth in Paragraph "238" of the Complaint.

239. Deny the allegations set forth in Paragraph "239" of the Complaint.

240. Deny knowledge and information sufficient to form a belief as to the truth of the allegations set forth in Paragraph "240" of the Complaint.

241. Deny knowledge and information sufficient to form a belief as to the truth of the allegations set forth in Paragraph "241" of the Complaint.

242. Deny the allegations set forth in Paragraph "242" of the Complaint, except to admit that defendant hired law firms

to collect bills rightfully owed by Plaintiffs.

243. Deny the allegations set forth in Paragraph "243" of the Complaint.

244. Deny the allegations set forth in Paragraph "244" of the Complaint.

FIRST CAUSE OF ACTION

245. Deny the allegations set forth in Paragraph "245" of the Complaint.

246. Deny the allegations set forth in Paragraph "246" of the Complaint.

247. Deny the allegations set forth in Paragraph "247" of the Complaint.

248. Deny the allegations set forth in Paragraph "248" of the Complaint.

249. Deny the allegations set forth in Paragraph "249" of the Complaint.

250. Deny the allegations set forth in Paragraph "250" of the Complaint.

251. Deny the allegations set forth in Paragraph "251" of the Complaint.

252. Deny the allegations set forth in Paragraph "252" of the Complaint.

253. Deny the allegations set forth in Paragraph "253" of the Complaint.

SECOND CAUSE OF ACTION

254. Deny the allegations set forth in Paragraph "254" of the Complaint.

255. Deny the allegations set forth in Paragraph "255" of the Complaint.

256. Deny the allegations set forth in Paragraph "256" of the Complaint.

257. Deny the allegations set forth in Paragraph "257" of the Complaint.

258. Deny the allegations set forth in Paragraph "258" of the Complaint.

259. Deny the allegations set forth in Paragraph "259" of the Complaint.

260. Deny the allegations set forth in Paragraph "260" of the Complaint.

THIRD CAUSE OF ACTION

261. Deny the allegations set forth in Paragraph "261" of the Complaint.

262. Deny the allegations set forth in Paragraph "262" of the Complaint.

263. Deny the allegations set forth in Paragraph "263" of the Complaint.

264. Deny the allegations set forth in Paragraph "264" of the Complaint.

265. Deny the allegations set forth in Paragraph "265" of the Complaint.

266. Deny the allegations set forth in Paragraph "266" of the Complaint.

267. Deny the allegations set forth in Paragraph "267" of the Complaint.

FOURTH CAUSE OF ACTION

268. Deny the allegations set forth in Paragraph "268" of the Complaint.

269. Deny the allegations set forth in Paragraph "269" of the Complaint.

270. Deny the allegations set forth in Paragraph "270" of the Complaint.

271. Deny the allegations set forth in Paragraph "271"

of the Complaint.

272. Deny the allegations set forth in Paragraph "272" of the Complaint.

273. Deny the allegations set forth in Paragraph "273" of the Complaint.

274. Deny the allegations set forth in Paragraph "274" of the Complaint.

FIFTH CAUSE OF ACTION

275. Deny the allegations set forth in Paragraph "275" of the Complaint.

276. Deny the allegations set forth in Paragraph "276" of the Complaint.

277. Deny the allegations set forth in Paragraph "277" of the Complaint.

278. Deny the allegations set forth in Paragraph "278" of the Complaint.

279. Deny the allegations set forth in Paragraph "279" of the Complaint.

280. Deny the allegations set forth in Paragraph "280" of the Complaint.

281. Defendant joins in Plaintiffs Demand for a Jury.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

282. The Complaint fails to state a claim upon which relief may be granted.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

283. Any injury or damages alleged to have been suffered by Plaintiffs was caused solely by the culpable or negligent conduct of Plaintiffs and was not caused by any act of the Defendants.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

284. Plaintiffs have failed to file their claim

within the applicable time period and as such this action is barred by the Statute of Limitations and the common law doctrine of laches.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

285. Plaintiffs' claims are barred by collateral estoppel and/or res judicata.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

286. Plaintiffs having evaluated and paid alleged claims made by defendants are barred from recovery by release, unjust enrichment, payment, and/or unclean hands.

DATED: New York, New York
September 26, 2016

Respectfully Submitted,

By /S/
Daniel F Lynch (DL-3025)
Attorney for Defendant
LEONID BRENMAN
20 Vesey St., Suite 410
New York, NY 10007
(212) 571-4888